

BEFORE THE DIVISION OF INSURANCE

STATE OF COLORADO

FINAL AGENCY ORDER 0-04-193

**IN THE MATTER OF THE MARKET CONDUCT EXAMINATION OF AMERICAN
HOME TITLE AND ESCROW COMPANY,**

Respondent

THIS MATTER comes before the Colorado Commissioner of Insurance (the "Commissioner") as a result of a market conduct examination conducted by the Colorado Division of Insurance (the "Division") of American Home Title and Escrow Company (the "Respondent"), pursuant to §§ 10-1-201 to 207, C.R.S. The Commissioner has considered and reviewed the market conduct examination report dated February 18, 2004 (the "Report"), relevant examiner work papers, all written submissions and rebuttals, and the recommendations of staff. The Commissioner finds and orders as follows:

FINDINGS OF FACT

1. At all relevant times, the Respondent was a corporation licensed by the Division to conduct the business of title insurance.
2. In accordance with §§ 10-1-201 to 207, C.R.S., on February 18, 2004, the Division completed a market conduct examination of the Respondent. The period of examination was January 1, 2003, to December 31, 2003.
3. In scheduling the market conduct examination and in determining its nature and scope, the Commissioner considered such matters as complaint analyses, underwriting and claims practices, pricing, product solicitation, policy form compliance, market share analyses, and other criteria as set forth in the most recent available edition of the examiners' handbook adopted by the National Association of Insurance Commissioners, as required by § 10-1-203(1), C.R.S.
4. In conducting the examination, the examiners observed those guidelines and procedures set forth in the most recent available edition of the examiners' handbook adopted by the National Association of Insurance Commissioners and the Colorado insurance examiners handbook. The Commissioner also employed other guidelines and procedures that he deemed appropriate, pursuant to § 10-1-204(1), C.R.S.

5. The market conduct examiners prepared the Report. The Report is comprised of only the facts appearing upon the books, records, or other documents of the Respondent, its agents or other persons examined, or as ascertained from the testimony of the Respondent's officers or agents or other persons examined concerning Respondent's affairs. The Report contains the conclusions and recommendations that the examiners find reasonably warranted based upon the facts.
6. The Commissioner has fully considered and reviewed the Report, any and all of Respondent's submissions and rebuttals, and all relevant portions of the examiner's work papers.

CONCLUSIONS OF LAW AND ORDER

7. Unless expressly modified in this Final Agency Order (the "Order"), the Commissioner adopts the facts, conclusions and recommendations contained in the Report. A copy of the Report is attached to the Order and is incorporated by reference.
8. The facts as ascertained by the examiners in the Report indicate that there are no violations of Colorado law concerning the areas of compliance examined. Accordingly, the Commissioner is ordering neither corrective actions nor a monetary penalty against Respondent. The Commissioner commends Respondent on its excellent compliance efforts in the areas examined.
9. Pursuant to § 10-1-205(4)(a), C.R.S., within sixty (60) days of the date of this Order, the Respondent shall file affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related order.
10. This Order shall not prevent the Division from commencing future agency action relating to conduct of the Respondent not specifically addressed in the Report, not resolved according to the terms and conditions in this Order, or occurring before or after the examination period.
11. Copies of the Report and this final Order will be made available to the public no earlier than thirty (30) days after the date of this Order, subject to the requirements of § 10-1-205, C.R.S.

WHEREFORE: It is hereby ordered that the Commissioner adopts the final examination Report dated February 18, 2004, and since no violations of Colorado law were identified by the examiners, imposes neither a monetary penalty, nor corrective actions concerning the areas of compliance examined. The above Order is hereby approved this 13th day of May, 2004.

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean
Commissioner of Insurance

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of May, 2004, I deposited the **Final Agency Order No. 0-04-193 IN THE MATTER OF THE MARKET CONDUCT EXAMINATION OF AMERICAN HOME TITLE AND ESCROW COMPANY** in the United States Mail with postage affixed and addressed to:

Mr. Pat Rice, President
American Home Title and Escrow Company
8774 Yates Drive, Suite 140
Westminster, CO 80030

A handwritten signature in black ink, reading "Dolores Arrington". The signature is written in a cursive, flowing style.

Dolores Arrington, MA, AIRC
Market Conduct Section